

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

11-CR-6021CJS

KARL KLEBER,  
Defendant.

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**PRELIMINARY AND FINAL ORDER OF FORFEITURE  
AND JUDGMENT**

WHEREAS, on February 9, 2011, the defendant, by written plea agreement, agreed that the sum of Three Hundred Forty Five Thousand, Six Hundred dollars (\$345,600.00) is subject to forfeiture to the United States as this sum represents the value of the merchandise illegally introduced into the United States from the offense alleged in Count 2 of the Indictment, for which the Defendant has been convicted; and

WHEREAS, as this forfeiture is a money judgment against Karl Kleber, and pursuant to Federal Rules of Criminal Procedure, Rules 32.2(b)(2) and 32.2(c)(1), no ancillary proceeding is required;

IT IS HEREBY ORDERED, ADJUDGED and DECREED that pursuant to Federal Rules of Criminal Procedure, Rule 32.2 and Title 18, United States Code, Section 545, judgment is hereby entered against defendant Karl Kleber in favor of the United States in the amount of Three Hundred Forty Five Thousand, Six Hundred dollars (\$345,600.00); and

IT IS HEREBY FURTHER ORDERED, ADJUDGED and DECREED that pursuant to Federal Rules of Criminal Procedure, Rule 32.2 and Title 21, United States Code, Section 853(a)(1), the sum of Three Hundred Forty Five Thousand, Six Hundred dollars (\$345,600.00) in United States currency is hereby condemned and forfeited to the United States of America and all rights, title, and interest in such property are hereby forever removed, discharged, condemned, and forfeited to the United States of America and shall be disposed of according to law; and

IT IS FURTHER ORDERED, ADJUDGED and DECREED that pursuant to Title 18, United States Code, Section 545, the procedures of Title 21, United States Code, Section 853(g) and Subdivision (b)(3) of Rule 32.2 of the Federal Rules of Criminal Procedure upon entry of this Preliminary and Final Order of Forfeiture and Judgment, the Court hereby authorizes the Attorney General, or his designated representative, to conduct discovery to identify or locate the property subject to forfeiture, and to seize the property ordered forfeited upon such terms and conditions as set forth by the Court; and


IT IS FURTHER ORDERED, ADJUDGED and DECREED, that the United States Department of Justice shall dispose of any surrendered monies in accordance with law; and

IT IS FURTHER ORDERED, ADJUDGED and DECREED that this judgment against Karl Kleber shall be recorded in the records of the County Clerk's Office in the county of the defendant's residence and any and all other counties in which the defendant has either real or personal property as a lien thereon in the amount of Three Hundred Forty Five Thousand, Six Hundred dollars (\$345,600.00) plus interest at the current legal rate computed daily and compounded annually until paid in full, as determined by the government; and

IT IS FURTHER ORDERED, ADJUDGED and DECREED upon the payment of the judgment in full, that the United States shall file a Satisfaction of Judgment with the District Court and the appropriate Clerk of the County in which any transcript or abstract of the judgment has been filed; and

IT IS FURTHER ORDERED, ADJUDGED and DECREED that this Order is in continuing and full effect until payment of the Three Hundred Forty Five Thousand, Six Hundred dollars (\$345,600.00) is made in full.

Dated: September 19, 2011, at Rochester, New York.

  
HONORABLE CHARLES J. SIRAGUSA  
UNITED STATES DISTRICT JUDGE